

Judge Lasnik

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,
Plaintiff

v.

VICENCIO PALMA-SALAZAR,
ANTONIO RUIZ,
APOLINAR CRUZ-CRUZ,
Defendants.

NO. CR13-49RSL

ORDER CONTINUING
TRIAL

This matter comes before the Court on the motion of defendant Vicencio Palma-Salazar to continue the trial date currently scheduled for September 22, 2014. (Dkt. #224). Defendant Apolinar Cruz-Cruz opposed the motion (Dkt. #227), and the Court held a hearing on September 4, 2014 (Dkt. #232). Having considered the memoranda, the arguments at the hearing, the speedy trial waivers filed by defendants Vicencio Palma-Salazar (Dkt. #230) and Antonio Ruiz (Dkt. #231), and the remainder of the record, the Court finds as follows:

1. The period of delay is reasonable within the meaning of 18 U.S.C. § 3161(h)(6) as new counsel for defendant Palma-Salazar, appointed on August 19, 2014 (Dkt. #214), needs additional time to prepare for trial, and the Court has not granted a motion for severance.

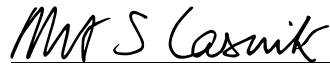
2. In consideration of new counsel recently being appointed, the ends of justice will be served by ordering a continuance. The case is complex, involving a wiretap investigation that has generated considerable discovery, and counsel for defendant Palma-Salazar needs the assistance of an interpreter to review this large volume of material with his client. A continuance is necessary to insure adequate time for defense investigation, effective trial preparation, and an opportunity for all defendants to benefit from these efforts; and these factors outweigh the best interests of the public and the defendants in a more speedy trial, within the meaning of Sections 3161(h)(7)(A), 3161(7)(B)(i) and 3161(7)(B)(ii).

3. Defendant Cruz-Cruz did not consent to the continuance; however, the Court concluded that the ends of justice necessitated granting a continuance over Defendant's objections.

IT IS THEREFORE ORDERED that the motion to continue the trial date (Dkt. #224) is GRANTED. The trial date shall be continued from September 22, 2014 to April 6, 2015. The period of delay attributable to the filing and granting of this motion is excluded for speedy trial purposes pursuant to Sections 3161(h)(1)(D), 3161(h)(6), 3161(h)(7)(A), and 3161(h)(7)(B).

The deadline for filing pretrial motions expired on August 14, 2014 (Ct. Dkt. #164). Any additional pretrial motions to be filed by newly appointed counsel for defendant Palma-Salazar are to be filed no later than November 3, 2014.

DATED this 9th day of September, 2014.


Robert S. Lasnik
United States District Judge